

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL GOLDEMBERG, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

JOHNSON & JOHNSON CONSUMER
COMPANIES, INC.,

Defendant.

SCHEDULING ORDER

Civil Action No. 7:13-CV-3073-NSR

ASHLEY SMITH and NOEH SMITH, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

JOHNSON & JOHNSON CONSUMER
COMPANIES, INC.,

Defendant.

Civil Action No. 7:14-CV-7506-NSR

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel and any unrepresented parties, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties **do not consent** to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
2. This case **is** to be tried to a jury.
3. Joinder of additional parties must be accomplished **by July 16, 2014**.
4. Amended pleadings may be filed until **July 16, 2014**.
5. Interrogatories shall be served no later than **July 31, 2014**, and responses thereto shall be served within thirty (30) days thereafter.

6. First request for production of documents, if any, shall be served no later than **July 31, 2014**.
7. Plaintiffs shall file their motion for class certification and serve Plaintiffs' class certification expert reports by **September 15, 2015**.
8. Depositions of Plaintiffs' class certification experts shall be completed by **October 15, 2015**.
9. Defendant shall file its opposition to Plaintiffs' motion for class certification and serve Defendant's class certification expert reports by **October 30, 2015**.
10. Depositions of Defendant's class certification experts shall be completed by **November 16, 2015**.
11. Plaintiffs shall file their reply motion for class certification and serve Plaintiffs' class certification rebuttal expert reports by **December 1, 2015**.
12. Non-expert depositions shall be completed by **60 days after the Court rules on Plaintiffs' motion for class certification**.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
13. Any further interrogatories, including expert interrogatories, shall be served no later than **60 days after the Court rules on Plaintiffs' motion for class certification**.
14. Any further expert reports shall be served no later than **90 days after the Court rules on Plaintiffs' motion for class certification**.
15. Rebuttal Expert reports shall be served no later than **120 days after the Court rules on Plaintiffs' motion for class certification**.
16. Expert depositions shall be completed no later than **150 days after the Court rules on Plaintiffs' motion for class certification**.
17. All discovery shall be completed by **150 days after the Court rules on Plaintiffs' motion for class certification**.
18. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).

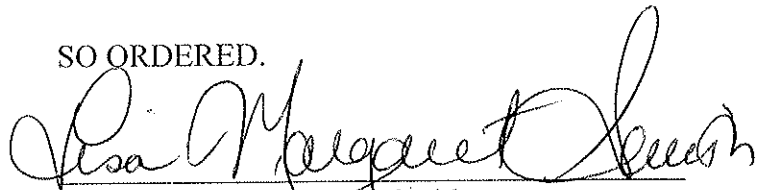
19. The Magistrate Judge assigned to this case is the Honorable Magistrate Judge Lisa M. Smith.

20. If, after entry of this Order, the parties consent to a trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

21. The next case management conference is scheduled for September 18, 2015 at 10:00 am.

Dated: 3/26/15
White Plains, NY

SO ORDERED.



Honorable Lisa Margaret Smith
United States Magistrate Judge